

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

CARLTON JAMES MITCHELL,

Plaintiff,

vs.

C/O WILLIAM JACKMAN, MR.
SAWYER, CAPTAIN R.
THOMPSON, CAPTAIN PERKINS,
C.U.S. G. FORD, LT. DUNCAN, LT.
TROWBRIDGE, CS3 SCILLEY,
GRIEVANCE COORDINATOR J.
FLUAITT, GRIEVANCE
SECRETARY S. GRIMES, and
PSYCH THERAPIST L. RUGE,

Defendants.

NO: 12-CV-5142-CI

ORDER ADOPTING REPORT AND
RECOMMENDATION, DISMISSING
COMPLAINT WITHOUT
PREJUDICE, AND DIRECTING
THAT COLLECTION OF THE
FILING FEE CEASE

Magistrate Judge Imbrogno filed a Report and Recommendation, ECF No. 26, recommending Mr. Mitchell's Motion to Voluntarily Dismiss this action be granted. Defendants have not been served. There being no objections, the Court **ADOPTS** the Report and Recommendation. Plaintiff's Motion, ECF No. 24, is **GRANTED** and this action is **DISMISSED WITHOUT PREJUDICE**.

ORDER ADOPTING REPORT AND RECOMMENDATION, DISMISSING
COMPLAINT WITHOUT PREJUDICE . . . -- 1

1 **IT IS FURTHER ORDERED** Plaintiff's Motion to waive filing fee, ECF
2 No. 25, is **GRANTED** and the institution having custody of Mr. Mitchell shall
3 cease collection of the filing fee in this action, cause number **12-CV-5142-CI**. In
4 addition, **IT IS ORDERED** all pending motions are **DENIED as moot**.

5 **IT IS SO ORDERED.** The District Court Executive is directed to enter this
6 Order, enter judgment of dismissal without prejudice, forward a copy to Plaintiff
7 and close the file. The District Court Executive is further directed to send a copy
8 of this Order to the **Office of the Department of Corrections, Attn: LFO/COS**
9 **UNIT, P.O. Box 41107, Olympia, WA 98504-1107**, to forward to the appropriate
10 agency having custody of Plaintiff. The District Court Executive also shall provide
11 a copy of this Order to the Financial Administrator for the United States District
12 Court, Eastern District of Washington.

13 **DATED** May 29, 2013.



15 *Thomas O. Rice*
16 THOMAS O. RICE
17 United States District Judge
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